



8  
16  
Docket No.: C37584/130070

8-29-02  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

J. SHAFFER, et al.

Serial No.: 10/043,056

Filed: January 8, 2002

)  
)  
) Examiner: Chester T. Barry  
)  
) Group Art Unit: 1724  
)

RECEIVED  
AUG 21 2002  
TC 1700

For: APPARATUS AND METHOD FOR BIOLOGICAL TREATMENT  
OF ENVIRONMENTAL CONTAMINANTS AND WASTE

August 13, 2002

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
Washington, D.C. 20231

COPY OF PAPERS  
ORIGINALLY FILED

Sir:

This is in response to the Office Action mailed July 16, 2002, which imposed a restriction requirement and set forth a shortened period of one month for response. Accordingly, this response is filed timely upon mailing with an executed certificate of mailing on or before August 16, 2002. 37 CFR 1.8.

It is not believed that this response occasions any fees, but should there be any fees, please charge the same to Deposit Account No. 02-4467.

**RESPONSE**

In the Office Action, the Examiner stated that the invention contained three groups of inventions which have been labeled Groups I, II and III. The Examiner considers these inventions to be distinct from each other requiring restriction under MPEP §806.05(a).

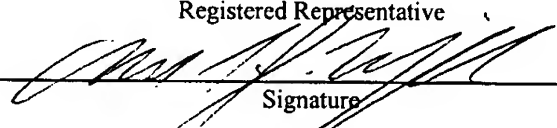
In accordance with the requirement, applicants hereby elect with traverse to prosecute the subject matter of Group I, namely claims 1-29, drawn to an apparatus.

Notwithstanding Applicant's traverse, the applicants reserve the right under U.S. Patent laws to prosecute the unclaimed subject matter in a divisional, continuation or continuation-in-part application at a later time.

Respectfully submitted,

By: 

Charles T. J. Weigell  
Reg. No. 43,398  
Bryan Cave LLP  
245 Park Avenue  
New York, NY 10167  
Phone: (212) 692-1800  
Fax: (212) 692-1900

I hereby certify that this correspondence is being deposited with sufficient postage to the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on August 13, 2002
(Date of Deposit)
Charles T. J. Weigell
Name of applicant, assignee, or Registered Representative

Signature
8/13/02
Date of Signature